

HESLIN ROTHENBERG FARLEY & MESITI P.C.

Robert E. Heslin
Jeff Rothenberg
Kevin P. Radigan
Susan E. Farley
Nicholas Mesiti
Philip E. Hansen*
Blanche E. Schiller
Wayne F. Reinke
David P. Miranda

*Patent Agent

INTELLECTUAL PROPERTY LAW

PATENTS • TRADEMARKS • COPYRIGHTS

Attorneys at Law
5 Columbia Circle
Albany, New York 12203
Telephone: (518) 452-5600
Facsimile: (518) 452-5579
www.hrfmlaw.com

Kathy Smith Dias
Mary Louise Gioeni
David A. Pascarella
Victor A. Cardona
Lee Palmateer
John Pietrangelo*
Brett M. Hutton
Stephen M. Hladik
Edward Timmer
Alana M. Fuierer

Martha L. Boden
Jill M. Breedlove
Of Counsel

CONFIDENTIALITY NOTICE

THE PAGES COMPRISING THIS FACSIMILE TRANSMISSION CONTAIN CONFIDENTIAL INFORMATION FROM **HESLIN ROTHENBERG FARLEY & MESITI P.C.** THIS INFORMATION IS INTENDED SOLELY FOR USE BY THE INDIVIDUAL ENTITY NAMED AS THE RECIPIENT HEREOF. IF YOU ARE NOT THE INTENDED RECIPIENT, BE AWARE THAT ANY DISCLOSURE, COPYING, DISTRIBUTION, OR USE OF THE CONTENTS OF THIS TRANSMISSION IS PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE NOTIFY US BY TELEPHONE IMMEDIATELY.

*** PLEASE DELIVER IMMEDIATELY ***

November 8, 2004

From: Kevin P. Radigan, Esq. (e-mail: kpr@hrfmlaw.com)

Fax No.: (571) 273-3890

No. of Pages: 10 (Including this Page)

To: ATTN: Examiner **Stephan F. Willett**
Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE UNDER 37 C.F.R. 1.116
EXAMINING GROUP: 2141**

Re: U.S. Patent Application Serial No.: **09/442,906**
Applicants: Scott Marcotte
Title: METHOD, SYSTEM AND PROGRAM PRODUCT FOR REDUCING
DATA MOVEMENT WITHIN A COMPUTING ENVIRONMENT BY
BYPASSING COPYING DATA BETWEEN FILE SYSTEM AND
NON-FILE SYSTEM BUFFERS IN A SERVER (as amended)
Attorney Docket No.: EN999121

Message: Please find attached hereto the following documents:

1. Amendment Transmittal Letter (1 page) (in duplicate);
2. Supplemental Amendment After Final (7 pages).

KPR/sj
Attachments

AMENDMENT TRANSMITTAL LETTER (Large Entity)Applicant(s): **Scott T. Marcotte**

Docket No.

EN999121

Application No.

09/442,906

Filing Date

11/18/1999

Examiner

Stephen F. Willett

Customer No.

30400

Group Art Unit

2141

Confirmation No.

6545

Invention: **METHOD, SYSTEM AND PROGRAM PRODUCT FOR REDUCING DATA MOVEMENT WITHIN A COMPUTING ENVIRONMENT BY BYPASSING COPYING DATA BETWEEN FILE SYSTEM AND NON-FILE SYSTEM BUFFERS IN A SERVER (As Amended)**

COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	15 -	45 =	0 x	\$18.00	\$0.00
INDEP. CLAIMS	3 -	9 =	0 x	\$86.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- ☒ No additional fee is required for amendment.
- ☐ Please charge Deposit Account No. _____ in the amount of _____
- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account **09-0457 (IBM)**
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☐ Payment by credit card. Form PTO-2038.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Kevin P. Radigan
Signature

Kevin P. Radigan, Esq.
Registration No.: 31,789

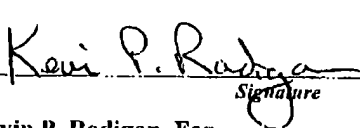
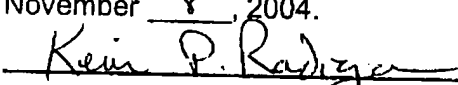
Dated: November 8, 2004

HESLIN ROTHENBERG FARLEY & MESITI, P.C.
5 Columbia Circle
Albany, New York 12203
Tel: (518) 452-5600
Fax: (518) 452-5579

I hereby certify that this correspondence is being transmitted by facsimile transmission to: Examiner Stephen F. Willett, Group Art Unit 2141, United States Patent and Trademark Office, Alexandria, VA 22313-1450, Facsimile No. 571-273-3890, on November 8, 2004.

Kevin P. Radigan
Kevin P. Radigan

CC:

AMENDMENT TRANSMITTAL LETTER (Large Entity)				Docket No.	
Applicant(s): Scott T. Marcotte				EN999121	
Application No.	Filing Date	Examiner	Customer No.	Group Art. Unit	Confirmation No.
09/442,906	11/18/1999	Stephen F. Willett	30400	2141	6545
Invention: METHOD, SYSTEM AND PROGRAM PRODUCT FOR REDUCING DATA MOVEMENT WITHIN A COMPUTING ENVIRONMENT BY BYPASSING COPYING DATA BETWEEN FILE SYSTEM AND NON-FILE SYSTEM BUFFERS IN A SERVER (As Amended)					
COMMISSIONER FOR PATENTS:					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	15 -	45 =	0 x	\$18.00	\$0.00
INDEP. CLAIMS	3 -	9 =	0 x	\$86.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00
<input checked="" type="checkbox"/> No additional fee is required for amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____					
<input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0457 (IBM)					
<input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.					
<input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038.					
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
 Signature			Dated: November 8, 2004		
Kevin P. Radigan, Esq. Registration No.: 31,789					
HESLIN ROTHENBERG FARLEY & MESITI, P.C. 5 Columbia Circle Albany, New York 12203 Tel: (518) 452-5600 Fax: (518) 452-5579			<div style="border: 1px solid black; padding: 5px;"><p>I hereby certify that this correspondence is being transmitted by facsimile transmission to: Examiner Stephen F. Willett, Group Art Unit 2141, United States Patent and Trademark Office, Alexandria, VA 22313-1450, Facsimile No. 571-273-3890, on November 8, 2004.</p><p> Kevin P. Radigan</p></div>		
CC:					

**RESPONSE UNDER 37 C.F.R. 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2141**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Scott T. Marcotte

Confirmation No.: 6545

Serial No.: 09/442,906

Group Art Unit: 2141

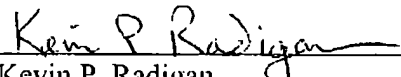
Filed: 11/18/1999

Examiner: Stephan F. Willett

Title: METHOD, SYSTEM AND PROGRAM PRODUCT FOR REDUCING DATA
MOVEMENT WITHIN A COMPUTING ENVIRONMENT BY BYPASSING
COPYING DATA BETWEEN FILE SYSTEM AND NON-FILE SYSTEM BUFFERS
IN A SERVER (as amended)

Certificate of Facsimile Transmission

I hereby certify that this correspondence is being sent via facsimile
transmission to Mail Stop AF, Commissioner for Patents,
Washington, D.C. 20231, Attn: Examiner Stephan F. Willett, at
fax number (703) 746-7239 on November 8, 2004.


Kevin P. Radigan
Attorney for Applicant
Registration No.: 31,789

Date of Signature: November 8, 2004.

To: Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Supplemental Amendment After Final

Dear Sir:

This Supplemental Amendment is submitted pursuant to the Examiner's request made during telephone interviews between Examiner Willett and Applicants' undersigned attorney on November 8, 2004, August 12, 2004 and August 31, 2004, regarding the above-designated application. During these interviews, the Examiner verbally indicated that these claim amendments place all claims in condition for allowance. Should, however, the Examiner entertain any reservations regarding the allowability of one or more claims, Applicants request that this amendment not be entered, and that the application be allowed to continue in the Appeal process. **Amendments to the claims** begin on page 2 of this paper.

Remarks begin on page 7 of this paper.

EN999121

-1-